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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Applicant : Mikhail Tselner
Serial No. : 10/581,373
Filed : 2 June 2006
For : FRESH CONCRETE AND ADMIXTURE FOR
FRESH CONCRETE
Examiner : TBA
Group Art Unit : TBA

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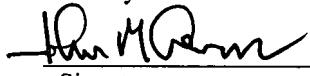
Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450.

John M. Genova

32,224

Attorney Name

PTO Reg. No.



29 August 2007

Signature

Date of Signature

**PETITION FOR ACCEPTANCE
OF DECLARATION UNDER 37 C.F.R. § 1.47(a)**

Special Program Law Office
Office of Petitions
Commissioner for Patents
Box 1450
Alexandria, VA 22313-1450

Sir:

It is requested that the Commissioner for Patents waive 37 C.F.R. § 1.51(b)(2), requiring a Declaration signed by all inventors, in the referenced application, and permit application for patent to be made by one inventor on behalf of himself and the nonsigning sole heir of the other named inventor. In this regard, it is requested that the Commissioner accord the referenced application status under 37 C.F.R. § 1.47(a).

STATEMENT OF FACTS

The referenced patent application, U.S. Patent Application Serial No. 10/581,373 (the “373 application”), filed 2 June 2006, is a §371 application of International application no. PCT/DE04/02623, filed 26 November 2004, which claims priority to RU 2003134910, filed 3 December 2003.

The '373 application was filed with the U.S. Patent and Trademark Office by filing a copy of the published PCT application WO 2005/054150 A1. The published PCT application and the application transmittal filed with the Office identify the following two inventors: Mikhail Tselner and Oswald Vocke, citizens and residents of Russia and Germany, respectively. A copy of the published PCT application as filed with the Office is attached as Exhibit A.

The '373 application was filed without a fully executed declaration as required by 37 C.F.R. §1.51(b)(2). On 29 June 2007, the Office issued a Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) (the “Notification”). A copy of the Notification is attached as Exhibit B. To avoid abandonment of the application, the Notification requires submission of, *inter alia*, an oath or declaration in compliance with 37 C.F.R. §§ 1.497(a) and (b) identifying the application by the International application number and international filing date.

The undersigned Attorney reported the Notification and due date for response by an E-mail message dated 31 January 2007 (attached as Exhibit C) to colleagues at the Firm's sister office in Hamburg, Germany (the “Hamburg office”) from whom instructions were received to file the §371 application which became the '373 application. The Hamburg office acted as agent on behalf of the two named inventors in the filing of the PCT application as evidenced by the information appearing on the front page of the published PCT application at Exhibit A. In the 31 January 2007 E-mail message (Exhibit C), the Hamburg office was requested to confirm the residence and citizenship of their clients, i.e., the applicants of the '373 application. Upon receipt of that information, the undersigned Attorney stated in the same message that a combined Declaration/Power of Attorney (hereinafter collectively referred to as the “Declaration”) would be prepared for signature by the inventors.

In an E-mail reply dated 26 March 2007 (attached as Exhibit D), the Hamburg office confirmed the residence and citizenship of the inventor Oswald Vocke, but informed the

undersigned Attorney that the other named inventor, Dr. Mikhail Tselner, had passed away. The undersigned Attorney sent a reply by E-mail on 29 March 2007 (attached as Exhibit E) and summarized the requirements under 37 C.F.R. §1.42 (When the inventor is dead).

On 2 May 2007, the Hamburg office sent another E-mail message (attached as Exhibit F) to the undersigned Attorney which had as attachments thereto a copy of each of Dr. Tselner's death certificate and a certificate of inheritance. The death certificate gives 11 April 2006 as the date of death, i.e., before the PCT application was filed but after the '373 application was filed. The certificate of inheritance provides that, although Dr. Tselner is also survived by a daughter, his widow, Satanowskaja Olga Solomonowna Tselner, is the sole beneficiary of his estate. A copy of each of the death certificate in Russian and a German translation thereof is found at Exhibit G. A copy of each of the certificate of inheritance in Russian and a German translation thereof is found at Exhibit H.

In view of the information provided by the E-mail message of 2 May 2007 (Exhibits F, G and H) from the Hamburg office, the undersigned Attorney prepared a Declaration in compliance with 37 C.F.R. §1.42 for signature by Mrs. Tselner and the other named inventor Oswald Vocke. The Declaration provides Mrs. Tselner's last known address:

Satanowskaja Olga Solomonowna Tselner
9 Parkowaja Street
House 6, Apartment 41
Moscow, Russia 105554

That Declaration was sent as an attachment to an E-mail message dated 21 May 2007 from the undersigned Attorney to the Hamburg office with instructions to obtain signatures from Mrs. Tselner and Mr. Vocke. A copy of each of the 21 May 2007 E-mail and attached Declaration are found at Exhibit I.

On 26 July 2007, the Hamburg office sent the Declaration by facsimile to each of Mrs. Tselner and Mr. Vocke with instructions to sign the Declaration and return it by 9 August 2007 to meet the deadline of 29 August 2007. A copy of each of the 26 July 2007 facsimile letter, Declaration and confirmation of successful transmission to each recipient is found at Exhibit J. The Declaration was signed by Mr. Vocke on 30 July 2007 and returned to the Hamburg office. A copy of the Declaration as signed on 30 July 2007 by Mr. Vocke is found at Exhibit K.

Three subsequent attempts were made to obtain Mrs. Tselner's signature: 10 August 2007 by facsimile (attached as Exhibit L); 16 August 2007 by courier to Mrs. Tselner's last known address (attached as Exhibit M); and again by facsimile on 22 August 2007 (attached as Exhibit N). As of the date of this submission, the Hamburg office has not received the Declaration signed by Mrs. Tselner.

It is respectfully submitted that the facts show that the undersigned Attorney and the Hamburg office were diligent in assessing the situation and responding appropriately in accordance with the relevant rule of practice, 37 C.F.R. §§1.42. However, notwithstanding the efforts by the Hamburg office to contact Mrs. Tselner in Russia to obtain her signature, there is still no Declaration signed by Mrs. Tselner for submission on this last date for responding to the Notice. Therefore, to avoid abandonment of the application to the prejudice of the other named inventor Mr. Vocke, this petition is being made under 37 C.F.R. §1.47(a) to accept the '373 application made by Mr. Vocke on behalf of himself and Mrs. Tselner.

In the event that a Declaration signed by Mrs. Tselner is eventually filed in compliance with 37 C.F.R. §1.63 as provided by 37 C.F.R. §1.47(a), it is understood that Mrs. Tselner may subsequently join in the application.

As all the requirements of MPEP 409.03(d) have been satisfied, the Commissioner is requested to grant the application status under 37 C.F.R. §1.47(a), and to waive the requirement under 37 C.F.R. § 1.51(b)(2) to provide a Declaration signed by Mrs. Tselner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

The Commissioner is authorized to charge the required fee of Two Hundred Dollars (\$200.00) under 37 C.F.R. § 1.17(g), and other required fee in connection with this communication, to Deposit Account No. 23-1703.

Dated: 29 August 2007

Respectfully submitted,



John M. Genova
Reg. No. 32,224

Customer No. 007470
Attorney's Direct Dial: (212) 819-8404

Attachments

(12) NACH DEM VERTRAG ÜBER DIE INTERNATIONALE ZUSAMMENARBEIT AUF DEM GEBIET DES
PATENTWESENS (PCT) VERÖFFENTLICHTE INTERNATIONALE ANMELDUNG

(19) Weltorganisation für geistiges Eigentum
Internationales Büro



(43) Internationales Veröffentlichungsdatum
16. Juni 2005 (16.06.2005)

PCT

(10) Internationale Veröffentlichungsnummer
WO 2005/054150 A1

(51) Internationale Patentklassifikation⁷: C04B 28/02,
40/00

CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES,
FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE,
KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD,
MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG,
PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM,
TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM,
ZW.

(21) Internationales Aktenzeichen: PCT/DE2004/002623

(22) Internationales Anmeldedatum:
26. November 2004 (26.11.2004)

(25) Einreichungssprache:

Deutsch

(84) Bestimmungsstaaten (soweit nicht anders angegeben, für
jede verfügbare regionale Schutzrechtsart): ARIPO (BW,
GH, GM, KE, LS, MW, MZ, NA, SD, SL, SZ, TZ, UG,
ZM, ZW), eurasisches (AM, AZ, BY, KG, KZ, MD, RU,
TJ, TM), europäisches (AT, BE, BG, CH, CY, CZ, DE, DK,
EE, ES, FI, FR, GB, GR, HU, IE, IS, IT, LU, MC, NL, PL,
PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM,
GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).

(26) Veröffentlichungssprache:

Deutsch

(30) Angaben zur Priorität:
2003134910 3. Dezember 2003 (03.12.2003) RU

Veröffentlicht:

- mit internationalem Recherchenbericht
- vor Ablauf der für Änderungen der Ansprüche geltenden Frist; Veröffentlichung wird wiederholt, falls Änderungen eintreffen

(71) Anmelder und

(72) Erfinder: TSELNER, Mikhail [RU/RU]; 9 Parkovaja Str.
6-41, Moskau 105554 (RU). VOCKE, Oswald [DE/DE];
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(74) Anwalt: ROHNKE, Christian; White & Case LLP,
Jungfernstieg 51, 20354 Hamburg (DE).

(81) Bestimmungsstaaten (soweit nicht anders angegeben, für
jede verfügbare nationale Schutzrechtsart): AE, AG, AL,
AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH,

Zur Erklärung der Zweibuchstaben-Codes und der anderen Abkürzungen wird auf die Erklärungen ("Guidance Notes on Codes and Abbreviations") am Anfang jeder regulären Ausgabe der PCT-Gazette verwiesen.

(54) Title: FRESH CONCRETE AND ADMIXTURE FOR FRESH CONCRETE

(54) Bezeichnung: FRISCHBETON UND FRISCHBETONZUMISCHPRODUKT

(57) Abstract: The invention relates to a composition of fresh concrete and admixtures for fresh concrete and can be used in the construction industry for producing monolithic and precast concrete and ferroconcrete structures, in spraying mixtures and in the oil extraction industry for producing squeeze cement and insulation cement products. The admixture for fresh cement comprises super plasticizer C-3 and hydrophobing agent Lignopan B having a molecular weight ranging from 10 to 50 kJ, an antifoaming agent as the hydrophobing agent (139-282) and fixing salt and/or ammonium rhodanide or sodium and sodium carbonate having the following ratio of components (mass proportion): 0 to 40 of the super plasticizer C-3, 0.02 to 0.06 of the indicated hydrophobing agent, 10 to 20 of the indicated Lignopan B, 40 to 55 of the fixing salt and/or the ammonium rhodanide or sodium, 1 to 2 of sodium carbonate. The inventive compositions accelerate the setting and hardening of the fresh concrete and increase the strength of the concrete.

(57) Zusammenfassung: Die Erfindung betrifft die Zusammensetzung von Frischbeton und Zumischprodukten für Frischbeton und kann Verwendung im Bauwesen finden beim Anfertigen von monolithischen und vorgefertigten Beton- und Stahlbetonstrukturen, in Spritzmassen und auch in der Erdölförderindustrie bei der Fertigung von Einpress- und Isolierzementstoffen. Das Zumischprodukte für Frischbeton mit Superweichmacher C-3 sowie Hydrophobisator Lignopan B mit einem Molekulargewicht von 10 - 50 kJ, Entschäumer als Hydrophobisator (139-282) und Fixiersalz und/oder Ammoniumrhodanid oder Natrium und Natriumkarbonat mit dem folgenden Komponentenverhältnis (Masseeanteil): Superweichmacher C-3 0 - 40, der angegebene Hydrophobisator 0,02 - 0,06, das angegebene Lignopan B 10 - 20, Fixiersalz und/oder Ammoniumrhodanid oder Natrium 40 - 55, Natriumkarbonat 1 - 2. Das technische Ergebnis ist die Beschleunigung des Abbindens und Erhärten des Frischbetons und die Steigerung der Festigkeit des Betons.

WO 2005/054150 A1

Frischbeton und Frischbetonzumischprodukt

Die Erfindung betrifft die Zusammensetzung von Frischbeton und Zumischprodukten

5 für Frischbeton und kann im Bauwesen Verwendung finden beim Produzieren von monolithischen und vorgefertigten Beton- und Stahlbetonkonstruktionen, in Spritzmassen und auch in der Erölförderindustrie bei der Fertigung von Einpress- und Isolierzementstoffen.

10 Bekannt ist Frischbeton, der Portlandzement (z. B. 32,5-Zement entsprechend russischem M400) enthält sowie Quarzsand, Schotter, Wasser, Glyzerin und Zumischprodukte aus folgenden Komponenten (in Massenprozent): Fixiersalz 8,3 – 12,0, Natriumrhodanid 16 – 20, Arsenverbindung 0,002 – 0,02, Wasser 72,0 – 75,7 und dabei folgendem Verhältnis der Komponenten des Frischbetons (in Massenprozent): Zement

15 10 – 16, Schotter 38 – 62, Sand 25 – 40, Glyzerin 0,005 – 0,048, Zumischprodukte 0,05 – 0,25, Wasser Rest (Patent der Russischen Föderation Nr. 2081083, 1997).

Bekannt ist Gleitmittel für Frischbeton in Form eines Komplexmodifikators mit folgenden Komponenten (in Massenprozent): Dispersmineralkomponente auf Grundlage von

20 Sizilliumoxid der Bergartgruppe (Produkt der Räumung von Öfen, die kristallinen Kalkstein und/oder Ferrosillicochrom und/oder Silicokalzium ausschmelzen und/oder Stein Kohle verfeuern) 51,9 – 94,1. Salze organischer Säuren 4,7 – 45,5 und Wasser (Rest) (Patent der Russischen Föderation Nr. 2160723, 20.12.2000).

25 Nächstliegender Stand der Technik zum angemeldeten Frischbeton ist Frischbeton, der Zement enthält, sowie Grob- und/oder Feinzuschlag aus Eruptivgestein, Metamorphit oder geschichtetem Gestein, Eisenschlacke oder Hüttenbims, Blähtonbausand und/oder Sand, Wasser und Zumischprodukte aus folgenden Komponenten (in Massenprozent): Mikrokieselsäure oder Perlit oder Diatomit oder Trepel 50 – 65, Superweichmacher C-3 15 – 20, neutralisierte Luft heranziehendes Harz oder hydrophobisiertes Silikonmehl 0,1 – 0,5, Lignopan mit einem Molekulargewicht von 10 – 50 kJ 10 – 12, wobei der Gehalt von dem Zumischprodukt im Frischbeton 1 bis 5 Prozent der Zementmasse beträgt.

30 35 Nächster Stand der Technik zum angemeldeten Zumischprodukt ist das Zumischprodukt für Frischbeton mit folgenden Komponenten (in Massenprozent): Mikrokieselsäure

oder Perlit oder Diatomit oder Trepel 50 – 65, Superweichmacher C-3 15 – 20, neutralisierte Luft heranziehendes Harz oder hydrophobisiertes Silikonmehl 0,1 – 0,5, Lignopan mit einem Molekulargewicht von 10 – 50 kJ 10 – 12 (Patent der Russischen Föderation Nr. 2177919, 10.01.2002).

5

Die Aufgabe dieser Erfindung ist die Beschleunigung des Abbindens und Erhartens des Frischbetons und Steigerung der Festigkeit des Betons.

Diese Aufgabe wird dadurch gelöst, dass im Frischbeton der Zement, Grob- und/oder Feinzuschlag enthält sowie Wasser und Zumischprodukte mit Superweichmacher C-3, Hydrophobisator (139-282) und Lignopan B (russische Anmeldung Nr. 2004130768 vom 21. Oktober 2004) mit einem Molekulargewicht von 10 – 50 kJ, das angegebene Zumischprodukt Entschäumer als Hydrophobisator sowie Fixiersalz und/oder Ammoniumrhodanid und/oder Natrium und/oder Natriumsulfat (Na_2SO_4) und Natriumkarbonat mit dem folgenden Komponentenverhältnis (in Massenprozent) aufweist:

	Superweichmacher C-3	0 – 40
	Der angegebene Hydrophobisator	0,02-0,06
	Das angegebene Lignopan B	10 – 20
20	Fixiersalz und/oder Ammoniumrhodanid und/oder	
	Natrium und/oder Natriumsulfat	40 – 55
	Natriumkarbonat	1 – 2

mit einem Gehalt des Zumischproduktes von 0,6 – 1,5 Prozent der Masse von Zement

25 Dabei kann der Frischbeton Zement, Zuschlag und Wasser mit dem folgenden Verhältnis enthalten, kg/m³: Zement 300 – 520, Zuschlag 1590 – 2030, Wasser 105 – 200, Grob- oder Feinzuschlag, Schotter und/oder Bausand als Grobzuschlag der Korngröße 5 – 20 oder 5 – 40 mm, als Feinzuschlag Sand mit einer Korngröße von nicht mehr als 5mm, mindestens eine Komponente aus folgender Gruppe: Quarzsand, Eruptivgestein,

30 Metamorphiksand, Blähtonsand, Eisenschlackesand und mindestens eine Komponente aus der folgenden Gruppe als Grobzuschlag: Eruptivgesteinschotter, Metamorphikschorter, Sedimentgesteinschotter, Eisenschlackesand, Blähtonschotter, Hüttenbimschotter.

35 Die angegebene Aufgabe wird auch dadurch gelöst, dass Gleitmittel für Frischbeton, Superweichmacher C-3 enthält sowie Hydrophobisator und Ignopan R mit einem Mo-

lekulargewicht von 10 – 50 kJ, Entschäumer als Hydrophobisator (139-282) und Fixiersalz und/oder Ammoniumrhodanit und/oder Natrium und Natriumkarbonat mit dem folgenden Komponentenverhältnis (In Massenprozent):

5	Superwelchmacher C-3	0 – 40
	Der angegebene Hydrophobisator	0,02 – 0,06
	Das angegebene Lignopan B	10 – 20
	Fixiersalz und/oder Ammoniumrhodanit und/oder	
	Natrium und/oder Natriumsulfat	40 – 55
10	Natriumkarbonat	1 – 2

Man kann im Frischbeton folgende Komponenten benutzen:

Bindemittel – Portlandzement, Puzzolanportlandzement, Hüttenportlandzement, schnellerhärtendes Portlandzement, Tonerdezement in einer Quantität von 300 – 520 kg/m; Grobzuschlag der Korngröße 5 – 10 mm oder 5 – 20 mm oder 5 – 40 mm – mindestens eine Komponente der folgenden Gruppe: Eruptivgesteinsschotter, Metamorphikschotter, Sedimentengesteinschotter, aufgehaldete Schlackeschotter, granulierte Schlackeschotter, Blähtonschotter, Hüttenbimsschotter.

20 Feinzuschlag der KorngröÙe von nicht mehr als 5 mm – mindestens eine Komponente der folgenden Gruppe: Quarzsand, Quarzspatsand, Kalksteinsand, Eruptiv- oder Metamorhikgesteinsand, Eisenschlackesand und Blähtonsand. Das Gesamtgehalt des Zuschlags im Frischbeton ist 1590 bis 2030 kg/m³, Wasser 105 – 200 kg/m³.

25 Das Komponentenverhältnis im Frischbeton kann je nach erforderlicher Betonsorte und Formgebungsart variieren.

Die folgenden Komponenten können beim Mischen des Zumischproduktes verwendet werden:

Lignopan B – elektrolytisch modifizierte Lignosulfonate mit einem Molekulargewicht von 10 – 50 kJ

Hydrophobisator-Entschäumer

35 Silikonemulsion (139-282) (russische Gütevorschrift 6-02-1-529-86)

Superweichmacher C-3 (russische Gütevorschrift 6-36-0204229-625-00)

Fixiersalz (russische Gütevorschrift 2141-084-00209527-99)
Ammoniumrhodanid
Natriumkarbonat,

5 wobei Fixiersalz und Ammoniumrhodanid als Reinprodukte zugegeben werden können und/oder enthalten in einem Produkt zum Beispiel Koxochemieproduktion. Das Zumischprodukt wird durch Vermischung der angegebenen Komponenten gemacht. Zusammensetzungen des Zumischproduktes sind in Tabelle 1 aufgeführt. Das Zumischprodukt wird zu 0,6 – 1,5 Prozent der Zementmasse eingesetzt.

10

Die Zusammensetzung des Frischbetons und die Betonbeschaffenheit mit diesem Zumischprodukt ist in Tabelle 2 aufgeführt.

Anmerkung: Folgende Zusammensetzungen des Zumischproduktes aus Tabelle 1
15 werden in Tabelle 2 in den Beispielen verwendet:

Beispiel 2 – Zusammensetzung 1
Beispiel 4 – Zusammensetzung 2
Beispiel 6 – Zusammensetzung 3
20 Beispiel 8 – Zusammensetzung 4
Beispiel 10 – Zusammensetzung 1
Beispiel 12 – Zusammensetzung 2
Beispiel 14 – Zusammensetzung 3

25 Die angegebenen Prüfungsbefunde zeigen die hohe Wirksamkeit des erfindungsgemäßen Zumischproduktes Lignopan B-2, dessen Verwendung im Beton in der Menge von 0,6 – 1,5 % von der Zementmasse erlaubt, einen Frischbeton mit beschleunigtem Abbinden und Härteverhalten herzustellen und eine höhere Festigkeit des Betons zu erreichen.

30

Tabelle 1

Komponenten	Gehalt, Masseanteil						
	1	2	3	4	5	6	7
Natriumkarbonat	1	1	2	2	1	2	1
139-282	0,02	0,04	0,04	0,06	0,04	0,02	0,06
Superweichmacher C-3	0	20	40	30	20	40	30
Lignopan	10	20	15	20	10	20	20
Fixiersalz	55		40	40	40	-	-
Ammoniumrhodanid	-	20	5	-	-	-	5
Natriumrhodanid	-	30	-	5	-	-	5
Natriumsulfat	-	-	-	-	10	50	40

Tabelle 2 Die Zusammensetzung und die Beschaffenheit der Frischbetone mit dem Zumischprodukt LIGNOPAN B-2

N	Betonzusammensetzung			Frischbetonkenndaten			Druckfestigkeit, Mpa
	Zement	Sand*	Schotter** Wasser*** Zumischprodukt**	Konussackung	Wasser/Zement	Farbe	
1	300	860	1050 150	-	3	0,5	2 9,5 22,3
2	300	860	1050 770	7	3	0,37	2,77 19,8 32,7
3	380	730	1000 222	-	17	0,58	1,73 5,9 26,7
4	?	730	1000 769	7,5	77,5	0,42	2,37 70,7 37,5
5	400	670	1090 165	-	7,5	0,42	2,38 7,9 32,7
6	400	670	1090 724	0,7	7	0,37	3,23 74,7 45,4
7	450	690	1050 247	-	18	0,55	1,82 11,8 32
8	450	690	1050 760	7,4	7&5	0,36	27* 22,4 46,5
9	480	700	1000 220	-	19	0,46	2,18 10,5 37,8
10	480	680	1000 776	7,2	19	0,37	2,77 22,7 54,6
11	520	680	1100 202	-	12	0,39	2,57 17,9 45,3
12	520	680	1100 776	0,9	72	0,34	2,95 37,2 67,4
13	550	850	800 214	-	1,5	0,39	2,57 26,8 50,2

* B

** Liter

*** Prozent der Zementmasse

14	550	850	800 77	0,61	7,5	0,33	3,03 36,7 <7,3
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Ansprüche

1. Frischbeton, enthaltend Zement sowie Zuschlag, Wasser und Zumischprodukte mit Superweichmacher C-3, Hydrophobisator und Lignopan B mit dem Molekulargewicht von 10 – 50 kJ, gekennzeichnet durch Entschäumer als Hydrophobisator (139-282) sowie Fixiersalz und/oder Ammoniumrhodanid und/oder Natrium und/oder Natriumsulfat und Natriumkarbonat mit dem folgenden Komponentenverhältnis (Massenanteil):

10	Superweichmacher C-3	0 – 40
10	Der angegebene Hydrophobisator	0,02 – 0,06
10	Das angegebene Lignopan B	10 – 20
10	Fixiersalz und/oder Ammoniumrhodanid und/oder Natrium und/oder Natriumsulfat	40 – 55
10	Natriumkarbonat	1 – 2,
15	mit einem Gehalt des Zumischproduktes von 0,6 – 1,5 Massenanteil der Zementmasse.	
20	2. Frischbeton nach Anspruch 1, dadurch gekennzeichnet, dass es die angegebenen Komponenten mit dem folgenden Verhältnis enthält:	
20	Zement	300 – 500 kg/m ³
20	Zuschlag	1590 – 2030 kg/m ³
20	Wasser	105 – 200 kg/m ³
25	3. Frischbeton nach Anspruch 1 oder 2, dadurch gekennzeichnet, dass es Grob- und/oder Feinzuschlag enthält.	
30	4. Frischbeton nach Anspruch 3, gekennzeichnet durch Schotter und/oder Bau- sand als Grobzuschlag.	
30	5. Frischbeton nach Anspruch 3 oder 4, gekennzeichnet durch Grobzuschlag der Korngröße 5 – 20 oder 5 – 40 mm.	
30	6. Frischbeton nach einem der Ansprüche 3 bis 5, gekennzeichnet durch Sand mit der Größe von nicht mehr als 5 mm als Feinzuschlag.	

7. Frischbeton nach einem der Ansprüche 3 bis 6, gekennzeichnet durch mindestens eine Komponente der folgenden Gruppe als Feinzuschlag: Quarzsand, Eruptivgesteinsand, Metamorphiksand, Blähtonsand, Eisenschlackensand.

5 8. Frischbeton nach einem der Ansprüche 3 bis 7, gekennzeichnet durch mindestens eine Komponente der folgenden Gruppe als Grobzuschlag: Eruptivgesteinschotter, Metamorphikschorter, Sedimentgesteinschotter, Eisenschlackenschotter, Blähtonschotter und Hüttenbimsschotter.

10 9. Zumischprodukt für Frischbeton mit Superweichmacher C-3 sowie Hydrophobisator Lignopan B mit dem Molekulargewicht vom 10 – 50 kJ, gekennzeichnet durch Entschäumer als Hydrophobisator (139-282) und Fixiersalz und/oder Ammoniumrhodanid und/oder Natrium und/oder Natriumsulfat und Natriumkarbonat mit dem folgenden Komponentenverhältnis (Massenanteil):

15	Superweichmacher	0 – 40
	Das angegebene Hydrophobisator	0,02 – 0,06
	Das angegebene Lignopan B	10 – 20
	Fixiersalz und/oder Ammoniumrhodanid und/oder	
	Natrium und/oder Natriumsulfat	40 – 55
20	Natriumkarbonat	1 - 2

Genova, John

From: Genova, John
Sent: Wednesday, January 31, 2007 5:38 PM
To: Sasse, Stefan
Cc: Weingaertner, Scott
Subject: Re: 6169555-0004 (Vocke) **** USSN 10/581,373
Attachments: PTO_Noti.pdf

Dear Stefan,

In connection with the referenced matter, a US national phase application of PCT/DE2004/002623 was timely filed with the U.S. Patent and Trademark Office (PTO) on 2 June 2006. The application was given the serial number, U.S. Patent Application Serial No. 10/581,373.

As you may recall, we were racing against the clock to file the application before expiration of the 30 month period. We did not, therefore, have time to finalize formalities. As a result, the PTO has issued a so-called Notification of Missing Requirements ("Notification") which is something like an Invitation to Correct. A copy of the Notification is attached. The due date for responding to the Notification is 29 March 2007, with five (5) one-month extensions of time which increase in cost with each extension. Therefore, the last possible date for responding to the Notification with a five-month extension is 29 August 2007.

Without any extension of time, a response to the Notification requires payment of a PTO fee of \$195 (US) and (1) a translation of the application as filed and (2) a declaration signed by the inventors.

1. Translation

- a)** A copy of the original PCT published application WO 2005/054150 A1 was filed with the PTO as the national phase application. Although you provided us with a copy of an English language translation of the original, unamended text (Ref: H042701 (PCT)), we need a final copy of that translation with a statement by the translator that the translation is accurate. Based on the Translator's Report/Comments, there are a few outstanding translation issues.
- b)** Please also confirm whether or not the PCT application was republished with the amended specification and claims (Aenderungsantrag vom 3. November 2005). We will amend the pending US national phase application by a Preliminary Amendment to bring it into conformance with the amended PCT text.

2. Declaration

We will prepare a combined Declaration/Power of Attorney for signature by the inventors. The published PCT application provides the residence and citizenship of the inventors. Please confirm that there has been no change (residence/citizenship) or provide us with the current information.

3. Assignment

Lastly, do the inventors intend to assign, or have they already assigned the invention/application, for example, to a corporate entity? If yes, please identify the assignee and provide the necessary identifying information. We will prepare the assignment for signature and recordation with the PTO.

Thank you in advance for your attention to this matter. I look forward to receipt of the requested information. Please do not hesitate to contact me if we can be of further assistance to you with this matter.

Beste Grüsse
John

Genova, John

From: Huelsmann, Petra
Sent: Monday, March 26, 2007 4:40 AM
To: Genova, John
Cc: Sasse, Stefan
Subject: RE: Re: 6169555-0004 (Vocke) **** USSN 10/581,373

Dear Mr Genova,

With respect to your email of January 31, 2007 please be informed that the address of Mr. Vocke has not changed. It is still

Oswald Vocke
Elbchaussee 234
22605 Hamburg
Germany

The second applicant and inventor, Dr. Mikhail Tselner passed away. Please let us know if you need any documents for registering Mr. Vocke as sole applicant.

Concerning your third point (assignment) please be informed that Mr. Vocke has not assigned the application.

Please let us know if you need any further information (especially concerning the translation) for answering the Notification of Missing Requirements issued by the US Patent Office.

Best regards,

Petra Hülsmann
Sekretariat Dr.-Ing. Stefan Sasse
White & Case LLP
Jungfernstieg 51 (Prien-Haus)
20354 Hamburg, Germany
Telephone: + 49 40 35005 210
phuelsmann@whitecase.com

Genova, John

From: Genova, John
Sent: Thursday, March 29, 2007 12:38 PM
To: Huelsmann, Petra
Cc: Sasse, Stefan; Weingaertner, Scott
Subject: RE: Re: 6169555-0004 (Vocke) **** USSN 10/581,373
Importance: High

PLEASE SEND A REPLY MESSAGE CONFIRMING RECEIPT

Dear Petra,

vielen Dank fuer Ihre E-Mail in Bezug auf die oben-genannte Anmeldung . Aber leider ist die Sache nicht so einfach....

In accordance with the relevant US patent rules, a declaration identifying Mr. Vocke and Dr. Tselner (deceased) as joint inventors must be signed by Mr. Vocke and also by a so-called "executor" or "administrator" of Dr. Tselner's estate. A copy of the relevant rules are attached below for your information.

It is my understanding that executors or administrators of a decedent's estate are not typically appointed in Germany. If that is the case and Dr. Tselner did not appoint an executor or administrator before he died, then his "heirs" may sign the declaration. Therefore, you need to investigate the situation for the sake of properly preparing and executing the declaration. If there is an executor or administrator of Dr. Tselner's estate, then please identify that person's name, citizenship and address. If there is no such executor or administrator, then we will need the name, citizenship and address of each of Dr. Tselner's heirs.

Although it appears that participation of Dr. Tselner's executor/administrator/heirs in the examination of the application before the USPTO is not required, there is the question whether it would nevertheless be advisable for Mr. Vocke to get an assignment from Dr. Tselner's executor/administrator/heirs to be the sole owner of the invention/application. Is there an agreement/contract, e.g., an employment, joint development, etc., governing the relationship between Mr. Vocke and Dr. Tselner? It would appear that Mr. Vocke's ownership rights in the invention/application after the death of Dr. Tselner is a matter of German law and we simply take this opportunity to raise the issue for your consideration.

We are now in the extension period for responding to the outstanding Notification of Missing Requirements. Five (5) one-month extensions are available. Therefore, the last possible date for responding is 29 August 2007 with payment of the corresponding Patent Office fee. However, to ensure that the declaration is properly executed, it would be preferable not to put this issue off until the last minute. Please keep me informed of your progress.

I will get back to you with my comments on the translation.

Please do not hesitate to contact me if you wish to discuss this matter.

Beste Grüeße
John

§ 1.42 When the inventor is dead.

In case of the death of the inventor, the legal representative (executor, administrator, etc.) of the deceased inventor may make the necessary oath or declaration, and apply for and obtain the patent. Where the inventor dies during the time intervening between the filing of the application and the granting of a patent thereon, the letters patent may be issued to the legal representative upon proper intervention.

409.01(d) Exception in Some Foreign Countries

The terms "Executor" and "Administrator" do not have exact counterparts in all foreign countries, and therefore, those terms must be construed to fit the circumstances of the case. Hence, the person or persons having authority corresponding to that of executor or administrator are permitted to make application as, for example, the heirs in the Federal Republic of Germany where no existing executor or administrator has been or will be appointed.

Genova, John

From: Sasse, Stefan
Sent: Wednesday, May 02, 2007 12:00 PM
To: Genova, John
Subject: RE: Re: 6169555-0004 (Vocke) **** USSN 10/581,373
Attachments: 1395_001.pdf; 1396_001.pdf

Dear John -

1. Full name: Satanowskaja Olga Solomonowna Tselner (last name underlined).
2. yes.
3. Moskow RU105554; 9 Parkowaja Street; House 6; Appartment 41

The attached Official Certificates tell us (in Russian; with a certified German translation attached) when and where Mr. Tselner has died and that indeed Ms. Tselner is the only heir. Do you need further information or original documents?

Beste Grüße!

Stefan

Übersetzung aus dem Russischen ins Deutsche
Перевод с русского языка на немецкий

ABSCHRIFT

STERBEURKUNDE

**Hr. TSELNER
MIKHAIL EFIMOWITSCH**

Russischer Staatsangehörigkeit

geboren am **03. Dezember 1946 in der Stadt Chmelnizkij, Ukraine**

ist am **11/04/2006 (den elften April zweitausendsechs) gestorben,**

worüber im Sterberegister die entsprechende Eintragung Nr. 2320 am **12. April 2006** gemacht wurde.

Sterbeort: Stadt Moskau, Russland

**Staatliche Eintragungsstelle: Verwaltung des Standesamtes
des Stadtbezirks „Izmajlowskij“ von Moskau**

Ausgestellt am 12. April 2006

Standesamtsleiter - gezeichnet N.W. Konkowa

III-MIO Nr. 754957

Wappensiegel: Moskauer Regierung. Verwaltung des Standesamtes des Stadtbezirks „Izmajlowskij“ von Moskau.

КОПИЯ

**СВИДЕТЕЛЬСТВО
О ПРАВЕ НА НАСЛЕДСТВО ПО ЗАКОНУ**

Город Москва. Российская Федерация.
Восемнадцатого октября две тысячи шестого года.

Я, КУЛИКОВА ГАЛИНА НИКОЛАЕВНА, нотариус города Москвы, удостоверяю, что на основании статьи 1142 Гражданского кодекса Российской Федерации наследником имущества гр. ЦЕЛЬНЕРА МИХАИЛА ЕФИМОВИЧА, умершего 11 апреля 2006 года, в чем бы оно ни заключалось и где бы ни находилось, в том числè в 1/2 (одной второй) доле ввиду отказа в ее пользу дочери наследодателя гр. Сатановской Елизаветы Михайловны, является:

жена – гр. САТАНОВСКАЯ ОЛЬГА СОЛОМОНОВНА, 15 июля 1952 года рождения, паспорт 45 07 204970, выдан ОВД «Восточное Измайлово» города Москвы 21 ноября 2003 года, код подразделения 772-066, зарегистрированная по адресу: город Москва, улица 9 Парковая, дом 6, квартира 41.

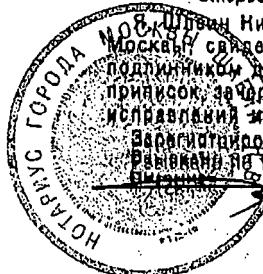
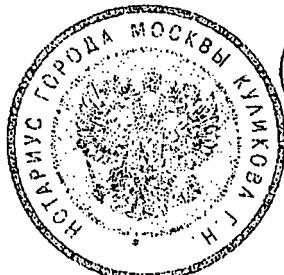
Наследственное дело № 43391/23/2006/25/06

Зарегистрировано в реестре за № 50584/1С-8115/2006

Взыскано по тарифу 100 руб. 00 коп.

Нотариус

Куликова Г.Н.



Город Москва, Российская Федерация.

Второе марта две тысячи седьмого года.

Нотариус Никита Викторович, нотариус города
Москвы, свидетельствую верность этой копии с
подлинником документа. В последнем подчисток,
приписок, зачеркнутых слов и иных неоговоренных
исправлений или каких-либо особенностей нет.

Зарегистрировано в реестре за № 17352

Разделено по тарифу:

Бланк

Перевёл с русского языка на немецкий язык профессиональный переводчик Сушков
Георгий Владимирович.



Город Москва, пятого марта две тысячи седьмого года.

Я, ШЛЕИН НИКИТА ВИКТОРОВИЧ, нотариус города Москвы, свидетельствую
подлинность подписи, сделанной переводчиком Сушковым Георгием Владимировичем в
моем присутствии. Личность его установлена.

Зарегистрировано в реестре за № 173684

Взыскано по тарифу 100 руб.

Нотариус



Übersetzung aus dem Russischen

Stempel: KOPIE

**ZERTIFIKAT
FÜR ERBANSPRUCH GEMÄSS DEM GESETZ**

Die Stadt Moskau. Russische Föderation. Am achtzehnten Oktober zweitausendsechzehn.

Ich, KULIKOWA GALINA NIKOLAEVNA, Notarin der Stadt Moskau, bescheinige hiermit, dass auf Grund des Artikels 1142 des Zivilgesetzbuches der Russischen Föderation, als Nachfolger des Vermögens des Bürgers ZELNER MICHAIL EFIMOWITSCH, gestorben am 11. April 2006, in irgendwelcher Form und in irgendwelchem Ort, einschließlich der 1/2 (Eine Zweite) Teil, wegen der Absage zu ihres Gunsten seitens der Tochter des Erblassers - Frau Satanowskaja Elizaweta Michailovna, gilt:
Ehefrau - Frau SATANOWSKAJA OLGA SOLOMONOWNA, geboren am 15. Juli 1952, Pass 45 07 204970, ausgestellt am 21. November 2003, von der Abteilung für Innere Angelegenheiten «Wostotschnoje Izmailowo» der Stadt Moskau, Kode der Abteilung 772-066, wohnhaft an der Adresse: Moskau, 9 Parkowaja Straße, Haus 6, Wohnung 41.

Nachfolgegeschäft Nr. 43391/23/2006/25/06

Eingetragen in Register unter der Nr. 50584/1C-8115/2006

Eingezogen gemäß dem Tarif 100 Rubel 00 Kop.

Notarin *Unterschrift* Kulikowa G.N.

Wappensiegel der Notarin.

Die Stadt Moskau, Russische Föderation Den zweiten März zweitausendsieben

Ich, Schlein Nikita Wiktorowitsch, Notar der Stadt Moskau, bestätige die Übereinstimmung dieser Kopie mit dem Urtext. Im Urtext wurden weder Radierungen noch Durchstreichungen, noch gestrichene Wörter, noch andere Korrekturen oder irgendwelche Besonderheiten festgestellt.

Eingetragen im Register unter Nr. *IT3152*

Eingezogen gemäß dem Tarif 10 Rubel.

Notar (*Unterschrift*)

Wappensiegel des Notars

Genova, John

From: Genova, John
Sent: Monday, May 21, 2007 5:27 PM
To: Sasse, Stefan
Cc: Huelsmann, Petra
Subject: 6169555-0004 (Vocke) **** USSN 10/581,373
Attachments: Declarat.pdf

Dear Stefan,

Thank you for your E-mail message of 24 April 2007 with the required information for preparing a Declaration identifying Frau Tselner as the beneficiary of 100% of the decedent's estate and heir acting as legal representative of the deceased inventor. Attached is a combined Declaration/Power of Attorney to be signed by Frau Tselner and the other inventor Oswald Vocke. Please obtain the signatures which should be dated. It is not necessary that Frau Tselner and Herr Vocke sign the same document.

We look forward to receipt of the signed Declaration/Power of Attorney. Please confirm that the invention/application has not been assigned. I still need to review the translation of the application before asking you to request the translator to certify that the translation is accurate. In this regard, please refer to my E-mail message of 31 January 2007. I will get back to on this shortly.

In the meantime, please do not hesitate to contact me if you wish to discuss this matter.

Best regards
John

John M. Genova
White & Case LLP
1155 Avenue of the Americas
New York, NY 10036-2787
Telephone: + 212-819-8832
Fax: + 212-354-8113
jgenova@whitecase.com

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

FRESH CONCRETE AND ADMIXTURE FOR FRESH CONCRETE

the specification of which:

is attached hereto.

OR

was filed on _____ with Express Mail No. _____ (Application Number not yet known).

OR

was filed on June 2, 2006 as United States Application Number _____ or PCT International Application Number PCT/DE04/02623 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

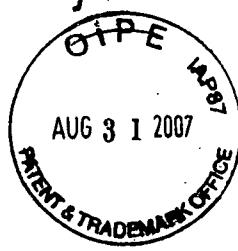
I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §356(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or any PCT international



6169555-0004

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

FRESH CONCRETE AND ADMIXTURE FOR FRESH CONCRETE

the specification of which:

is attached hereto.

OR

was filed on _____ with Express Mail No. _____ (Application Number not yet known).

OR

was filed on June 2, 2006 as United States Application Number _____ or PCT International Application Number PCT/DE04/02623 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

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Combined Declaration and Power of Attorney
 U.S. National Phase Application of
 PCT/DE04/02623, filed June 2, 2006
 Page 2 of 3

application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
Russia	2003134910	December 3, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby appoint all registered practitioners associated with Customer Number 007470 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to:

Customer Number 007470

Direct all telephone calls to JOHN M. GENOVA, Reg. No. 32,224, at telephone number (212) 819-8832.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: **Mikhail TSELNER (deceased)**

Full Name of Beneficiary
 of 100% of Decedent's
 Estate and Heir Acting
 As Legal Representative
 of Deceased Inventor: **Satanowskaja Olga Solomonowna Tselner**

Signature: _____ Date: _____

Residence Address: **Moscow, Russia**

Citizenship: **Russian**

Post Office Address: **9 Parkowaja Street
 House 6, Apartment 41
 Moscow, Russia 105554**

Combined Declaration and Power of Attorney
U.S. National Phase Application of
PCT/DE04/02623, filed June 2, 2006
Page 2 of 3

application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

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Russia	2003134910	December 3, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby appoint all registered practitioners associated with **Customer Number 007470** to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to:

Customer Number 007470

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: **Mikhail TSELNER (deceased)**

Full Name of Beneficiary
of 100% of Decedent's
Estate and Heir Acting
As Legal Representative
of Deceased Inventor: **Satanowskaja Olga Solomonowna Tselner**

Signature: _____ Date: _____

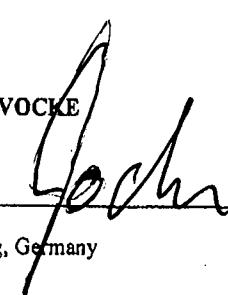
Residence Address: **Moscow, Russia**

Citizenship: **Russian**

Post Office Address: **9 Parkowaja Street
House 6, Apartment 41
Moscow, Russia 105554**

Combined Declaration and Power of Attorney
U.S. National Phase Application of
PCT/DE04/02623, filed June 2, 2006
Page 3 of 3

Full Name of Inventor: **Oswald VOCKE**

Signature: 

Date: 30.07.2007

Residence Address: Hamburg, Germany

Citizenship: German

Post Office Address: Elbchaussee 234
22605 Hamburg
Germany

Combined Declaration and Power of Attorney
U.S. National Phase Application of
PCT/DE04/02623, filed June 2, 2006
Page 3 of 3

Full Name of Inventor: **Oswald VOCKE**

Signature: _____ Date: _____

Residence Address: Hamburg, Germany

Citizenship: German

Post Office Address: Elbchaussee 234
22605 Hamburg
Germany

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

FRESH CONCRETE AND ADMIXTURE FOR FRESH CONCRETE

the specification of which:

is attached hereto.

OR

was filed on _____ with Express Mail No. _____ (Application Number not yet known).

OR

was filed on June 2, 2006 as United States Application Number _____ or PCT International Application Number PCT/DE04/02623 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §356(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Serial No.	Filing Date	Status
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I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application designating at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or any PCT international

Combined Declaration and Power of Attorney
U.S. National Phase Application of
PCT/DE04/02623, filed June 2, 2006
Page 2 of 3

application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed:

Country	Application No.	Filing Date	Priority Claimed
Russia	2003134910	December 3, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby appoint all registered practitioners associated with Customer Number 007470 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to:

Customer Number 007470

Direct all telephone calls to JOHN M. GENOVA, Reg. No. 32,224, at telephone number (212) 819-8832.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: **Mikhail TSELNER (deceased)**

Full Name of Beneficiary
of 100% of Decedent's
Estate and Heir Acting
As Legal Representative
of Deceased Inventor: **Satanowskaja Olga Solomonowna Tselner**

Signature: _____ Date: _____

Residence Address: **Moscow, Russia**

Citizenship: **Russian**

Post Office Address: **9 Parkowaja Street
House 6, Apartment 41
Moscow, Russia 105554**

Combined Declaration and Power of Attorney
U.S. National Phase Application of
PCT/DE04/02623, filed June 2, 2006
Page 3 of 3

Full Name of Inventor: **Oswald VOCKE**

Signature: _____ Date: _____

Residence Address: **Hamburg, Germany**

Citizenship: **German**

Post Office Address: **Elbchaussee 234
22605 Hamburg
Germany**

6169555-0004

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

FRESH CONCRETE AND ADMIXTURE FOR FRESH CONCRETE

the specification of which:

is attached hereto.

OR

was filed on _____ with Express Mail No. _____ (Application Number not yet known).

OR

was filed on June 2, 2006 as United States Application Number _____ or PCT International Application Number PCT/DE04/02623 and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of any United States provisional application(s) listed below:

U.S. Serial No.	Filing Date	Status
-----------------	-------------	--------

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), or §356(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information I know to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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 of Deceased Inventor: **Satanowskaja Olga Solomonowna Tselner**

Signature:

Date:

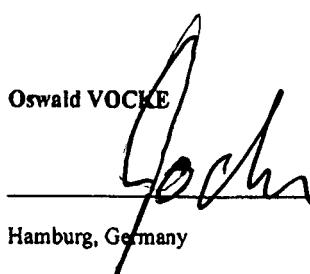
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Page 3 of 3

Full Name of Inventor: **Oswald VOCKE**

Signature: 

Date: 30.07.2007

Residence Address: Hamburg, Germany

Citizenship: German

Post Office Address: Elbchaussee 234
22605 Hamburg
Germany

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Signature: _____ Date: _____

Residence Address: **Hamburg, Germany**

Citizenship: **German**

Post Office Address: **Elbchaussee 234
22605 Hamburg
Germany**

 *** FAX MEHRFACHSENDEBERICHT ***

JOB NR 2504
 SEITEN 4

SE/EM UNVOLLSTÄND -----
 ÜBERTRAGUNG OK 00074954636673
 08812060

FEHLER -----

FACSIMILE

WHITE & CASE

White & Case LLP
 Jungfernstieg 51 (Prien-Haus)
 20354 Hamburg

Tel + 49 40 35005-0
 Fax + 49 40 35005-111
 www.whitecase.de

Rechtsanwälte Steuerberater

Direct Dial: +49 40 35005-210 ssasse@whitecase.com Direct Facsimile: +49 40 35005-178

Date:	Thursday, 26. July 2007	No. of Pages (including cover):	3
To:	Mrs. Tselner	Fax Number:	+74 95 463 66 73
CC:	Mr. Vocke		881 20 60
From:	Prof. Dr.-Ing. Stefan Sasse	Reference-No.:	70371.H061474.HUP 6169555.0007 # 1079982_1 [HAMBURG]

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US Patent application 10/581,373
Title: "Fresh concrete and admixture for fresh concrete"
Applicants: Tselner, Mikhail; Vocke, Oswald

Dear Mrs. Tselner,
 Dear Mr. Vocke,

For the US Patent Office we need a "combined declaration and power of attorney" signed by the both of you, in which Mrs. Tselner is indicated as heir of Mr. Tselner. As the deadline for filing this document is August 29, 2007 we would like to ask you to let us have the signed original form by

August 9, 2007,

if possible in advance via facsimile or email.

If you have any questions, please do not hesitate to contact us.

Best regards,

In absence of Prof. Dr.-Ing. Stefan Sasse signed by

White & Case LLP
Jungfernstieg 51 (Prien-Haus)
20354 Hamburg

Tel + 49 40 35005-0
Fax + 49 40 35005-111
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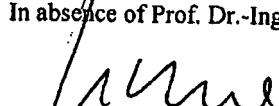
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Best regards,

In absence of Prof. Dr.-Ing. Stefan Sasse signed by


Christian Rohnke

*** FAX SENDEBERICHT ***

SENDUNG OK

JOB NR	2858
EMPFÄNGERADRESSE	4636673
PSWT/SUBADRESSE	
EMPFÄNGERNAME	
STARTZEIT	14/08 09:42
ÜBERTRAGUNGSZEIT	03' 37
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ERGEBNIS	OK

FACSIMILE

WHITE & CASE

White & Case LLP
Jungfernstieg 51 (Prien-Haus)
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US Patent application 10/581,373

Title: "Fresh concrete and admixture for fresh concrete"
Applicants: Tselner, Mikhail; Vocke, Oswald

Chère Mme. Tselner,

Nous nous référerons à notre télécopie du 26 juillet 2007. Veuillez s'il vous plaît nous envoyer la procuration et déclaration souscrite pour l'application en États-Unis avant

Août 24, 2007.

Nous vous prions d'agréer l'expression de nos salutations distinguées.



Stefan Sasse

FACTSIMILE

WHITE & CASE

White & Case LLP
Jungfernstieg 51 (Prien-Haus)
20354 Hamburg

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Stefan Sasse

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Rechtsanwälte Steuerberater

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Via courier

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9 Parkowaja Street
House 6, Apartment 41
MOSCOW 105554
Russia

PROF. DR.-ING. STEFAN SASSE

Secretary: Petra Hülsmann

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E-Mail: ssasse@whitecase.com

Reference: 70371.H061474.HUP

6169555.0007

Document: # 1087871_I [HAMBURG]

URGENT! DÈLAI AOÛT 29, 2007

August 16, 2007

US Patent application 10/581,373

Title: "Fresh concrete and admixture for fresh concrete"

Applicants: Tselner, Mikhail and Vocke, Oswald

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Veuillez trouverz en annexe notre télifax du août 10, 2007 par courrier.

Nous vous prions d'agrérer l'expression de nos salutations distinguées.

Petra Hülsmann

Petra Hülsmann

Secretary to Prof. Dr.-Ing. Stefan Sasse

FACSIMILE

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From:	Prof. Dr.-Ing. Stefan Sasse	Reference-No.:	70371.H061474.HUP 6169555.0007 # 1085730_1 [HAMBURG]

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US Patent application 10/581,373

Title: "Fresh concrete and admixture for fresh concrete"

Applicants: Tselner, Mikhail; Vocke, Oswald

Chère Mme. Tselner,

Nous nous référons à notre télifax du 26 juillet 2007. Veuillez s'il vous plaît nous envoyer la procuration et déclaration souscrite pour l'application en États-Unis avant

Août 24, 2007.

Nous vous prions d'agréer l'expression de nos salutations distinguées.



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Date:	Friday, 10. August 2007	
	No. of Pages	3
	(including cover):	
To:	Mrs. Tselner	
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From:	Prof. Dr.-Ing. Stefan Sasse	
	Reference-No.:	70371.H061474.HUP 6169555.0007 # 1085730_1 [HAMBURG]

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